

SENATE BILL No. 52

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-15; IC 14-16-1-29; IC 14-21; IC 14-22; IC 14-24; IC 14-25; IC 14-25.5; IC 14-26; IC 14-27-6-52; IC 14-29-4-9; IC 14-34; IC 14-35; IC 14-36-1-37; IC 14-37; IC 14-38-2; IC 33-37-5-16; IC 35-51-14-1.

Synopsis: Criminal penalties and DNR. Makes the penalty for violating certain statutes in IC 14 (natural and cultural resources) an infraction instead of a misdemeanor. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

Effective: July 1, 2014.

Steele

January 6, 2014, read first time and referred to Committee on Corrections & Criminal Law.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 52



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-15-2-15, AS AMENDED BY P.L.137-2007,
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 15. (a) ~~Except as provided in subsection (b)~~; A
4 person who violates **section 1, 2, 3, 4, 5, 6, 7(b), 9, 10, 12, 13, or 14** of
5 this chapter commits a Class C infraction.
6 (b) A person who violates section 7(c) or 8 of this chapter commits
7 a Class A infraction. Notwithstanding IC 34-28-5-4(a), a judgment of
8 at least one thousand dollars (\$1,000) shall be imposed for each Class
9 A infraction committed in violation of section 7(c) or 8 of this chapter.
10 SECTION 2. IC 14-15-3-31 AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: Sec. 31. (a) ~~Except as provided in~~
12 ~~subsection (b)~~; A person who violates **section 2, 3, 5, 7, 8, 9, 10, 14,**
13 **15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, or 30** of this chapter
14 commits a Class C infraction.
15 (b) A person who **knowingly or intentionally** violates section 6 of
16 this chapter commits a Class C misdemeanor.



1 SECTION 3. IC 14-15-4-4, AS AMENDED BY P.L.158-2013,
 2 SECTION 199, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2014]: Sec. 4. A person who **knowingly or**
 4 **intentionally** violates **section 1, 2, or 3** of this chapter commits a Class
 5 C misdemeanor. However, the offense is:

6 (1) a Class A misdemeanor if the accident or collision results in
 7 an injury to a person;

8 (2) a Level 6 felony if:

9 (A) the accident or collision results in serious bodily injury to
 10 a person; or

11 (B) within the five (5) years preceding the commission of the
 12 offense, the person had a previous conviction of any of the
 13 offenses listed in IC 9-30-10-4(a), IC 35-46-9-6, or
 14 IC 14-15-8-8 (before its repeal); or

15 (3) a Level 5 felony if the accident or collision results in the death
 16 of a person.

17 SECTION 4. IC 14-15-5-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. A person who
 19 violates **section 1** of this chapter commits a Class C infraction.

20 SECTION 5. IC 14-15-6-10 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. A person who
 22 violates **section 1, 5, 7, 8, or 9** of this chapter commits a Class C
 23 infraction.

24 SECTION 6. IC 14-15-7-6 IS REPEALED [EFFECTIVE JULY 1,
 25 2014]. ~~Sec. 6: A person who violates this chapter commits a Class C~~
 26 ~~infraction.~~

27 SECTION 7. IC 14-15-9-8 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who
 29 violates section 4, 5, 6, or 7(a) of this chapter commits a Class C
 30 ~~misdemeanor: infraction.~~

31 SECTION 8. IC 14-15-13-4, AS ADDED BY P.L.165-2011,
 32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2014]: Sec. 4. An individual who violates **section 3** of this
 34 chapter commits a Class C infraction.

35 SECTION 9. IC 14-16-1-29, AS AMENDED BY P.L.1-2006,
 36 SECTION 210, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2014]: Sec. 29. (a) ~~Except as provided in~~
 38 ~~subsections (b) and (c);~~ A person who violates **section 8, 9, 11.5, 13,**
 39 **14, 20, 21, 23(a)(3) through 23(a)(14), or 27** of this chapter commits
 40 a Class C infraction.

41 (b) A person who **knowingly or intentionally** violates section 17,
 42 18(a), 18(b), 18(c), 23(a)(1), 23(a)(2), or 24 of this chapter commits a



1 Class B misdemeanor.

2 (c) A person who violates section 18(d) or 18(e) of this chapter
3 commits a Class A infraction.

4 SECTION 10. IC 14-21-1-16 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) Except as
6 provided in section 18 and sections 25 through 27 of this chapter, a
7 person who knowingly, without a permit, conducts a field investigation
8 or alters historic property within the boundaries of property owned or
9 leased by the state commits a Class A ~~misdemeanor~~ **infraction**.

10 **(b) Notwithstanding IC 34-28-5-4, a judgment for a Class A**
11 **infraction imposed under this section may not exceed five thousand**
12 **dollars (\$5,000).**

13 SECTION 11. IC 14-21-1-27, AS AMENDED BY P.L.26-2008,
14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2014]: Sec. 27. (a) A person who disturbs buried human
16 remains or burial grounds shall do the following:

17 (1) Notify the department within two (2) business days of the time
18 of the disturbance.

19 (2) Treat or rebury the human remains in a manner and place
20 according to rules adopted by the commission or a court order and
21 permit issued by the state department of health under
22 IC 23-14-57.

23 (b) A person who recklessly, knowingly, or intentionally violates
24 this section commits a Class A ~~misdemeanor~~ **infraction**.

25 **(c) Notwithstanding IC 34-28-5-4, a judgment for a Class A**
26 **infraction imposed under this section may not exceed five thousand**
27 **dollars (\$5,000).**

28 SECTION 12. IC 14-21-2-5 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. A person who
30 knowingly violates a ~~provision section 3 or 4~~ of this chapter commits
31 a Class C misdemeanor.

32 SECTION 13. IC 14-21-3-3 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~Beginning January~~
34 ~~1, 2003~~; A person who violates section 1 of this chapter commits a
35 Class C infraction.

36 SECTION 14. IC 14-22-6-15 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**
39 **1, 2, 3, 4, 6, 7, 8, 9, or 10 of this chapter commits a Class C**
40 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
41 **C infraction imposed under this section may not exceed two**
42 **hundred fifty dollars (\$250) if the violator does not have a prior**



1 **unrelated conviction or adjudication for a violation of this article**
 2 **that occurred within the five (5) years immediately preceding the**
 3 **current violation.**

4 SECTION 15. IC 14-22-7-6 IS ADDED TO THE INDIANA CODE
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2014]: **Sec. 6. A person who violates section 3 of this chapter**
 7 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
 8 **judgment for a Class C infraction imposed under this section may**
 9 **not exceed two hundred fifty dollars (\$250) if the violator does not**
 10 **have a prior unrelated conviction or adjudication for a violation of**
 11 **this article that occurred within the five (5) years immediately**
 12 **preceding the current violation.**

13 SECTION 16. IC 14-22-8-8 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2014]: **Sec. 8. A person who violates section 4 of this chapter**
 16 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
 17 **judgment for a Class C infraction imposed under this section may**
 18 **not exceed two hundred fifty dollars (\$250) if the violator does not**
 19 **have a prior unrelated conviction or adjudication for a violation of**
 20 **this article that occurred within the five (5) years immediately**
 21 **preceding the current violation.**

22 SECTION 17. IC 14-22-9-12 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2014]: **Sec. 12. A person who violates section**
 25 **1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 of this chapter commits a Class C**
 26 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 27 **C infraction imposed under this section may not exceed two**
 28 **hundred fifty dollars (\$250) if the violator does not have a prior**
 29 **unrelated conviction or adjudication for a violation of this article**
 30 **that occurred within the five (5) years immediately preceding the**
 31 **current violation.**

32 SECTION 18. IC 14-22-10-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 1. (a) A person may**
 34 **not:**

- 35 (1) fish, hunt, trap, or chase;
 36 (2) shoot with any kind of firearm or archery equipment;
 37 (3) search for or gather any plant life (defined as the members of
 38 the kingdoms Fungi and Plantae); or
 39 (4) search for or gather any artifacts (as defined in IC 14-21-1-2);
 40 upon privately owned land without having the consent of the owner or
 41 tenant of the land.

42 **(b) A person who knowingly or intentionally violates subsection**



1 **(a) commits a Class C misdemeanor.**

2 SECTION 19. IC 14-22-10-12 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2014]: **Sec. 12. A person who violates section**
5 **3, 4, 7, or 8 of this chapter commits a Class C infraction.**
6 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
7 **imposed under this section may not exceed two hundred fifty**
8 **dollars (\$250) if the violator does not have a prior unrelated**
9 **conviction or adjudication for a violation of this article that**
10 **occurred within the five (5) years immediately preceding the**
11 **current violation.**

12 SECTION 20. IC 14-22-11-17 IS REPEALED [EFFECTIVE JULY
13 1, 2014]. ~~Sec. 17. A person who violates section 6, 7, or 8 of this~~
14 ~~chapter commits a Class C infraction.~~

15 SECTION 21. IC 14-22-11-19 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2014]: **Sec. 19. A person who violates section**
18 **1, 6, 7, 8, 13, or 14 of this chapter commits a Class C infraction.**
19 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
20 **imposed under this section may not exceed two hundred fifty**
21 **dollars (\$250) if the violator does not have a prior unrelated**
22 **conviction or adjudication for a violation of this article that**
23 **occurred within the five (5) years immediately preceding the**
24 **current violation.**

25 SECTION 22. IC 14-22-12-16 IS ADDED TO THE INDIANA
26 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2014]: **Sec. 16. A person who violates section**
28 **14 of this chapter commits a Class C infraction. Notwithstanding**
29 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
30 **this section may not exceed two hundred fifty dollars (\$250) if the**
31 **violator does not have a prior unrelated conviction or adjudication**
32 **for a violation of this article that occurred within the five (5) years**
33 **immediately preceding the current violation.**

34 SECTION 23. IC 14-22-13-10, AS ADDED BY P.L.165-2011,
35 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2014]: Sec. 10. (a) A person who knowingly or intentionally
37 fails to comply with the requirements of:

- 38 (1) a license issued under this chapter;
39 (2) this chapter; or
40 (3) rules adopted under this article to implement this chapter;

41 is subject to suspension or revocation of the person's license.

42 (b) A license revoked under this section may not be reinstated.



1 (c) A person who knowingly or intentionally violates this chapter
2 commits a Class A misdemeanor.

3 SECTION 24. IC 14-22-13-11 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2014]: **Sec. 11. A person who knowingly or**
6 **intentionally violates section 2.5, 5, or 7 of this chapter commits a**
7 **Class A infraction. Notwithstanding IC 34-28-5-4, a judgment for**
8 **a Class A infraction imposed under this section may not exceed five**
9 **thousand dollars (\$5,000).**

10 SECTION 25. IC 14-22-14-28 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2014]: **Sec. 28. A person who violates section**
13 **5, 17, 18, 19, 22, or 23 of this chapter commits a Class C infraction.**
14 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
15 **imposed under this section may not exceed two hundred fifty**
16 **dollars (\$250) if the violator does not have a prior unrelated**
17 **conviction or adjudication for a violation of this article that**
18 **occurred within the five (5) years immediately preceding the**
19 **current violation.**

20 SECTION 26. IC 14-22-15-7, AS AMENDED BY P.L.165-2011,
21 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2014]: **Sec. 7. An individual who recklessly, knowingly, or**
23 **intentionally:**

24 (1) fails to keep accurate records in violation of section 4(a) of
25 this chapter; or

26 (2) fails to report monthly to the department in violation of
27 section 4(b) of this chapter;

28 **commits a Class C misdemeanor: infraction. A judgment for a Class**
29 **C infraction imposed under this section may not exceed two**
30 **hundred fifty dollars (\$250) if the violator does not have a prior**
31 **unrelated conviction or adjudication for a violation of this article**
32 **that occurred within the five (5) years immediately preceding the**
33 **current violation.**

34 SECTION 27. IC 14-22-16-5 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**
37 **1 or 4 of this chapter commits a Class C infraction.**
38 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
39 **imposed under this section may not exceed two hundred fifty**
40 **dollars (\$250) if the violator does not have a prior unrelated**
41 **conviction or adjudication for a violation of this article that**
42 **occurred within the five (5) years immediately preceding the**



1 **current violation.**

2 SECTION 28. IC 14-22-17-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. A person who
4 violates section 2 of this chapter commits a Class A ~~misdemeanor~~
5 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
6 **A infraction imposed under this section may not exceed five**
7 **thousand dollars (\$5,000).**

8 SECTION 29. IC 14-22-19-7 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2014]: Sec. 7. **A person who violates section**
11 **1, 5, or 6 of this chapter commits a Class C infraction.**
12 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
13 **imposed under this section may not exceed two hundred fifty**
14 **dollars (\$250) if the violator does not have a prior unrelated**
15 **conviction or adjudication for a violation of this article that**
16 **occurred within the five (5) years immediately preceding the**
17 **current violation.**

18 SECTION 30. IC 14-22-20-5 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2014]: Sec. 5. **A person who violates section**
21 **2 or 4(c) of this chapter commits a Class C infraction.**
22 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
23 **imposed under this section may not exceed two hundred fifty**
24 **dollars (\$250) if the violator does not have a prior unrelated**
25 **conviction or adjudication for a violation of this article that**
26 **occurred within the five (5) years immediately preceding the**
27 **current violation.**

28 SECTION 31. IC 14-22-21-6 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2014]: Sec. 6. **A person who possesses for**
31 **taxidermy purposes the hide or skin of a wild animal without the**
32 **license described in section 2 of this chapter commits a Class C**
33 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
34 **C infraction imposed under this section may not exceed two**
35 **hundred fifty dollars (\$250) if the violator does not have a prior**
36 **unrelated conviction or adjudication for a violation of this article**
37 **that occurred within the five (5) years immediately preceding the**
38 **current violation.**

39 SECTION 32. IC 14-22-23-6 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2014]: Sec. 6. **A person who violates section**
42 **1 or 5 of this chapter commits a Class C infraction.**



1 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
2 **imposed under this section may not exceed two hundred fifty**
3 **dollars (\$250) if the violator does not have a prior unrelated**
4 **conviction or adjudication for a violation of this article that**
5 **occurred within the five (5) years immediately preceding the**
6 **current violation.**

7 SECTION 33. IC 14-22-24-6 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**
10 **1 or 4 of this chapter commits a Class C infraction.**
11 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
12 **imposed under this section may not exceed two hundred fifty**
13 **dollars (\$250) if the violator does not have a prior unrelated**
14 **conviction or adjudication for a violation of this article that**
15 **occurred within the five (5) years immediately preceding the**
16 **current violation.**

17 SECTION 34. IC 14-22-25-5 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**
20 **2 of this chapter commits a Class C infraction. Notwithstanding**
21 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
22 **this section may not exceed two hundred fifty dollars (\$250) if the**
23 **violator does not have a prior unrelated conviction or adjudication**
24 **for a violation of this article that occurred within the five (5) years**
25 **immediately preceding the current violation.**

26 SECTION 35. IC 14-22-28-6 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates a**
29 **prescription of the director described in section 2 of this chapter**
30 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
31 **judgment for a Class C infraction imposed under this section may**
32 **not exceed two hundred fifty dollars (\$250) if the violator does not**
33 **have a prior unrelated conviction or adjudication for a violation of**
34 **this article that occurred within the five (5) years immediately**
35 **preceding the current violation.**

36 SECTION 36. IC 14-22-30-3 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2014]: **Sec. 3. A person who violates section**
39 **1 of this chapter commits a Class C infraction. Notwithstanding**
40 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
41 **this section may not exceed two hundred fifty dollars (\$250) if the**
42 **violator does not have a prior unrelated conviction or adjudication**



1 **for a violation of this article that occurred within the five (5) years**
 2 **immediately preceding the current violation.**

3 SECTION 37. IC 14-22-31-15 IS ADDED TO THE INDIANA
 4 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**
 6 **1, 3, 6, 8, 9, 10, 11, 12, 13, or 14 of this chapter commits a Class C**
 7 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 8 **C infraction imposed under this section may not exceed two**
 9 **hundred fifty dollars (\$250) if the violator does not have a prior**
 10 **unrelated conviction or adjudication for a violation of this article**
 11 **that occurred within the five (5) years immediately preceding the**
 12 **current violation.**

13 SECTION 38. IC 14-22-32-3 IS REPEALED [EFFECTIVE JULY
 14 1, 2014]. **Sec. 3. A person who knowingly or intentionally violates**
 15 **section 2 of this chapter commits a Class A misdemeanor.**

16 SECTION 39. IC 14-22-32-8 IS ADDED TO THE INDIANA
 17 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2014]: **Sec. 8. A person who knowingly or**
 19 **intentionally violates section 2 of this chapter commits a Class A**
 20 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 21 **A infraction imposed under this section may not exceed five**
 22 **thousand dollars (\$5,000).**

23 SECTION 40. IC 14-22-33-6 IS ADDED TO THE INDIANA
 24 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**
 26 **1(b) of this chapter commits a Class C infraction. Notwithstanding**
 27 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
 28 **this section may not exceed two hundred fifty dollars (\$250) if the**
 29 **violator does not have a prior unrelated conviction or adjudication**
 30 **for a violation of this article that occurred within the five (5) years**
 31 **immediately preceding the current violation.**

32 SECTION 41. IC 14-22-34-12 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) Except as**
 34 **otherwise provided in this chapter, a person may not take, possess,**
 35 **transport, export, process, sell or offer for sale, or ship, and a common**
 36 **or contract carrier may not knowingly transport or receive for shipment**
 37 **a species or subspecies of wildlife appearing on any of the following:**

- 38 (1) The list of wildlife indigenous to Indiana determined to be
 39 endangered in Indiana under this chapter.
 40 (2) The United States list of endangered wildlife (50 CFR 17.11)
 41 as in effect on January 1, 1979.
 42 (3) The list of endangered species developed under section 13 of



- 1 this chapter.
- 2 (b) A species or subspecies of wildlife appearing on a list described
3 in subsection (a) that:
- 4 (1) enters Indiana from another state or from a point outside the
5 territorial limits of the United States; and
- 6 (2) is transported across Indiana destined for a point beyond
7 Indiana;
- 8 may be so entered and transported without restriction in accordance
9 with the terms of a federal permit or permit issued under the laws of
10 another state.
- 11 (c) A person who:
- 12 (1) violates subsection (a) or (b); or
- 13 (2) fails to procure or violates the terms of a permit issued under:
- 14 (A) section 15 of this chapter; or
- 15 (B) section 16 of this chapter;
- 16 commits a Class A misdemeanor.
- 17 SECTION 42. IC 14-22-34-22 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2014]: **Sec. 22. (a) A person who violates
20 section 9 of this chapter commits a Class C infraction.
21 Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction
22 imposed under this section may not exceed two hundred fifty
23 dollars (\$250) if the violator does not have a prior unrelated
24 conviction or adjudication for a violation of this article that
25 occurred within the five (5) years immediately preceding the
26 current violation.**
- 27 (b) A person who:
- 28 (1) violates section 12 of this chapter; or
- 29 (2) fails to procure or violates the terms of a permit issued
30 under:
- 31 (A) section 15 of this chapter; or
- 32 (B) section 16 of this chapter;
- 33 commits a Class A infraction. Notwithstanding IC 34-28-5-4, a
34 judgment for a Class A infraction imposed under this section may
35 not exceed five thousand dollars (\$5,000).
- 36 SECTION 43. IC 14-22-37-2 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2. (a) A person who
38 knowingly or intentionally interferes with the legal taking of a game
39 animal by another person with intent to prevent the taking commits a
40 Class C misdemeanor: infraction.**
- 41 (b) A person who knowingly or intentionally:
- 42 (1) disturbs a game animal; or



1 (2) engages in an activity or places an object or substance that
 2 will tend to disturb or otherwise affect the behavior of a game
 3 animal;

4 with intent to prevent or hinder the legal taking commits a Class C
 5 ~~misdemeanor~~: **infraction**.

6 (c) A person who knowingly or intentionally enters or remains:

7 (1) upon public land; or

8 (2) upon private land without permission of the owner or the
 9 owner's agent;

10 with intent to violate this section commits a Class C ~~misdemeanor~~:
 11 **infraction**.

12 **(d) Notwithstanding IC 34-28-5-4, a judgment for a Class C**
 13 **infraction imposed under this section may not exceed two hundred**
 14 **fifty dollars (\$250) if the violator does not have a prior unrelated**
 15 **conviction or adjudication for a violation of this article that**
 16 **occurred within the five (5) years immediately preceding the**
 17 **current violation.**

18 SECTION 44. IC 14-22-38-1 IS REPEALED [EFFECTIVE JULY
 19 1, 2014]. ~~Sec. 1. Except as otherwise provided in this article, a person~~
 20 ~~who violates this article commits a Class C misdemeanor.~~

21 SECTION 45. IC 14-22-38-3 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. **(a)** A person who
 23 takes a deer or a wild turkey in violation of this article commits a Class
 24 B ~~misdemeanor~~: **infraction**. However, the ~~offense violation~~ is a Class
 25 A ~~misdemeanor~~ **infraction** if the person has a prior conviction or
 26 **adjudication** under:

27 (1) IC 14-2-3-8(c) (repealed); or

28 (2) this section.

29 **(b) Notwithstanding IC 34-28-5-4, a judgment for a Class A**
 30 **infraction imposed under this section may not exceed five thousand**
 31 **dollars (\$5,000).**

32 SECTION 46. IC 14-22-38-4, AS AMENDED BY P.L.289-2013,
 33 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2014]: Sec. 4. (a) A person who:

35 (1) unlawfully takes or possesses a deer or wild turkey;

36 (2) takes or possesses a deer or wild turkey by illegal methods or
 37 with illegal devices; or

38 (3) except as provided in subsections (c) and (d), sells, offers to
 39 sell, purchases, or offers to purchase a deer or wild turkey or a
 40 part of a deer or wild turkey;

41 shall reimburse the state five hundred dollars (\$500) for the first
 42 violation and one thousand dollars (\$1,000) for each subsequent



- 1 violation.
- 2 (b) The money shall be deposited in the conservation officers fish
3 and wildlife fund. This penalty is in addition to any other penalty under
4 the law.
- 5 (c) Notwithstanding section 6 of this chapter, if a properly tagged
6 deer is brought to a meat processing facility and the owner of the deer:
7 (1) fails to pick up the processed deer within a reasonable time;
8 or
9 (2) notifies the meat processing facility that the owner does not
10 want the processed deer;
11 the deer meat may be given away by the meat processing facility to
12 another person. The meat processing facility may charge the person
13 receiving the deer meat a reasonable and customary processing fee.
- 14 (d) Notwithstanding section 6 of this chapter, deer meat and
15 products from farm raised deer that meet the requirements under
16 IC 15-17 may be sold to the public.
- 17 (e) In addition to being liable for the reimbursement required under
18 subsection (a), a person who recklessly, knowingly, or intentionally:
19 violates subsection (a)(1) or (a)(2)
20 **(1) unlawfully takes or possesses a deer or wild turkey;**
21 **(2) takes or possesses a deer or wild turkey by illegal methods**
22 **or with illegal devices; or**
23 **(3) except as provided in this section, sells, offers to sell,**
24 **purchases, or offers to purchase a deer or wild turkey or a**
25 **part of a deer or wild turkey;**
26 while using or possessing ~~(1)~~ a sound suppressor designed for use with
27 or on a firearm, commonly called a silencer, or ~~(2)~~ a device used as a
28 silencer ~~commits unlawful hunting while using or possessing a silencer;~~
29 ~~a Class C misdemeanor.~~ **commits a Class C infraction.**
30 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
31 **imposed under this section may not exceed two hundred fifty**
32 **dollars (\$250) if the violator does not have a prior unrelated**
33 **conviction or adjudication for a violation of this article that**
34 **occurred within the five (5) years immediately preceding the**
35 **current violation.**
- 36 SECTION 47. IC 14-24-6-7 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) A person may not
38 remove a label described under section 6 of this chapter from nursery
39 stock until the nursery stock has been sold for the ultimate use or
40 purpose of the nursery stock in Indiana.
- 41 **(b) A person who knowingly violates this section commits a**
42 **Class C infraction.**



1 SECTION 48. IC 14-24-7-6 IS ADDED TO THE INDIANA CODE
 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2014]: **Sec. 6. A person who knowingly violates section 1 of this**
 4 **chapter commits a Class C infraction.**

5 SECTION 49. IC 14-24-9-4 IS ADDED TO THE INDIANA CODE
 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 7 1, 2014]: **Sec. 4. A person who knowingly violates section 2 of this**
 8 **chapter commits a Class C infraction.**

9 SECTION 50. IC 14-24-11-4 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) **Except as**
 11 **provided in subsections (b) and (c); a person that knowingly violates**
 12 **this article commits a Class C infraction:**

13 (b) (a) A person, other than the state or a political subdivision of the
 14 state, that recklessly disturbs or molests an apiary, a honeybee hive, a
 15 honeybee colony, or other honeybee habitat, natural or manmade,
 16 without the permission of the owner commits a Class B misdemeanor.

17 (c) (b) A person who recklessly or knowingly introduces a pest or
 18 pathogen into Indiana without a permit issued under:

19 (1) IC 14-7-9-2 (before its repeal); or

20 (2) IC 14-24-9-2;

21 commits a Class A infraction.

22 (d) (c) Each day a violation occurs under this section is a separate
 23 offense.

24 SECTION 51. IC 14-24-12-10 IS ADDED TO THE INDIANA
 25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2014]: **Sec. 10. A person who knowingly**
 27 **violates section 5 or 7 of this chapter commits a Class C infraction.**

28 SECTION 52. IC 14-25-3-18 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 18. A person who
 30 violates:

31 (1) **section 6, 11, or 12** of this chapter; or

32 (2) **a rule or order concerning a restricted use area;**

33 commits a Class C infraction. Each day of violation constitutes a
 34 separate infraction.

35 SECTION 53. IC 14-25-4-16 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) A person who
 37 violates **a rule or order adopted under** this chapter **concerning a**
 38 **ground water emergency** commits a Class A infraction.

39 (b) The commission may, without proof of irreparable injury,
 40 maintain an action to enjoin a violation of this chapter.

41 SECTION 54. IC 14-25-5-15 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) A person who



1 violates **an order concerning a freshwater lake emergency declared**
 2 **under section 7 of** this chapter commits a Class A infraction.

3 (b) The commission may, without proof of irreparable injury,
 4 maintain an action to enjoin a violation of this chapter.

5 SECTION 55. IC 14-25-6-6 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. A person who
 7 violates **section 1 or 2 of** this chapter, **including the violation of an**
 8 **order issued under section 1 of this chapter**, commits a Class C
 9 infraction. Each day of violation constitutes a separate infraction.

10 SECTION 56. IC 14-25.5-3-2 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The fund consists of
 12 the following:

13 (1) Accrued interest and other investment earnings of the fund.

14 (2) Civil penalties collected ~~under IC 14-25.5-4~~ **for the violation**
 15 **of a statute in an article described in IC 14-25.5-1-1.**

16 (3) Gifts, grants, donations, or appropriations from any source.

17 SECTION 57. IC 14-25.5-4-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) ~~The department~~
 19 ~~may assess a civil penalty of not more than ten thousand dollars~~
 20 ~~(\$10,000) for a violation of an article to which this article applies or a~~
 21 ~~violation of a rule adopted under an article to which this article applies.~~
 22 **If the department has authority to assess a civil penalty for the**
 23 **violation of a statute in an article described in IC 14-25.5-1-1, the**
 24 **department also has authority to assess a civil penalty for the**
 25 **violation of a rule adopted in connection with that statute.**

26 (b) Each day during which a violation continues may be considered
 27 a separate violation for purposes of assessing a civil penalty.

28 (c) The department may bring a civil action under section 5 of this
 29 chapter to recover a **civil penalty under described in** this section and
 30 to enjoin a person from continuing a violation.

31 SECTION 58. IC 14-25.5-4-4 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A civil penalty
 33 assessed ~~under~~ **for a violation described in** section 3 of this chapter
 34 is subject to IC 4-21.5-3-6 and becomes effective without a proceeding
 35 under IC 4-21.5-3 unless a person requests an administrative review
 36 within thirty (30) days after receipt of the notice of assessment.

37 (b) **A civil penalty that is assessed for a violation described in**
 38 **section 3 of this chapter shall be deposited in the fund.**

39 SECTION 59. IC 14-25.5-4-5 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The division director
 41 may request the attorney general to institute an action in an appropriate
 42 court for the following:



1 (1) The recovery of civil penalties owed ~~under this chapter. for a~~
 2 **violation described in section 3 of this chapter.**

3 (2) To restrain a person from commencing to violate or continuing
 4 to violate any of the following:

5 (A) An article to which this article applies or a rule adopted
 6 under an article to which this article applies.

7 (B) An order of the department.

8 SECTION 60. IC 14-25.5-4-6 IS REPEALED [EFFECTIVE JULY
 9 1, 2014]. ~~Sec. 6. Except as provided in IC 14-26-7-8, IC 14-27-6-52,~~
 10 ~~IC 14-29-1-3, IC 14-29-7-25, and IC 14-29-8-5, a person who~~
 11 ~~knowingly violates an article enforced under this article commits a~~
 12 ~~Class B infraction. Each day a violation occurs is a separate infraction.~~

13 SECTION 61. IC 14-26-2-21 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 21. A person who
 15 knowingly violates **section 7 or 23** this chapter commits a Class B
 16 infraction.

17 SECTION 62. IC 14-26-2-22 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. In addition to other
 19 penalties prescribed by this chapter or IC 13-2-11.1 (before its repeal),
 20 the director may impose a civil penalty **of not more than ten thousand**
 21 **dollars (\$10,000)** under IC 14-25.5-4 **for a violation of section 7 or**
 22 **23 of this chapter.**

23 SECTION 63. IC 14-26-7-8 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who
 25 recklessly violates this chapter commits a Class A ~~misdemeanor:~~
 26 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 27 **A infraction imposed under this section may not exceed five**
 28 **thousand dollars (\$5,000).**

29 SECTION 64. IC 14-27-6-52 IS REPEALED [EFFECTIVE JULY
 30 1, 2014]. ~~Sec. 52. A person who recklessly violates this chapter~~
 31 ~~commits a Class B misdemeanor.~~

32 SECTION 65. IC 14-29-4-9 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) A person who
 34 knowingly violates **section 3 of** this chapter commits a Class B
 35 infraction.

36 (b) Each day of continuing violation after conviction of the offense
 37 **or violation** constitutes a separate offense **or violation.**

38 SECTION 66. IC 14-34-3-15 IS ADDED TO THE INDIANA
 39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**
 41 **1 of this chapter is liable for a civil penalty under IC 14-34-16.**

42 SECTION 67. IC 14-34-9-7 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2014]: **Sec. 7. A person who conducts a coal exploration
3 operation without complying with section 1 of this chapter is liable
4 for a civil penalty under IC 14-34-16.**

5 SECTION 68. IC 14-34-10-6 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who does not comply
8 with section 2 or 3 of this chapter is liable for a civil penalty under
9 IC 14-34-16.**

10 SECTION 69. IC 14-34-12-4 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2014]: **Sec. 4. A person who does not comply
13 with section 2 of this chapter is liable for a civil penalty under
14 IC 14-34-16.**

15 SECTION 70. IC 14-34-15-17 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2014]: **Sec. 17. A person who does not
18 comply with section 1 or 2 of this chapter, or a notice or order
19 issued under section 8 of this chapter, is liable for a civil penalty
20 under IC 14-34-16.**

21 SECTION 71. IC 14-35-1-12 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) A person who conducts
24 mining operations without a permit required by section 1 of this
25 chapter, or in violation of a condition of a permit issued under
26 section 1 of this chapter, commits a Class C infraction.**

27 **(b) Each day that a violation continues constitutes a separate
28 violation.**

29 **(c) A civil penalty assessed under this section shall be
30 transferred to the treasurer of state in accordance with
31 IC 14-35-3-1 for deposit as described in IC 14-35-3-2.**

32 SECTION 72. IC 14-35-2-4 IS ADDED TO THE INDIANA CODE
33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
34 1, 2014]: **Sec. 4. (a) A person who conducts geologic investigations
35 without a permit issued under section 1 of this chapter, or in
36 violation of a condition of a permit issued under section 1 of this
37 chapter, commits a Class C infraction.**

38 **(b) Each day that a violation continues constitutes a separate
39 violation.**

40 SECTION 73. IC 14-36-1-37 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 37. (a) A person who
42 violates or fails to comply with section 14, 15, 26, or 27 of this**



1 chapter (including a person who fails to comply with a rule of the
2 commission or order of the director adopted or issued in
3 connection with these sections) commits a Class A infraction.

4 (b) Each day that a violation continues constitutes a separate
5 violation.

6 (c) Notwithstanding IC 34-28-5-4, a judgment for a Class A
7 infraction imposed under this section may not exceed five thousand
8 dollars (\$5,000).

9 SECTION 74. IC 14-37-4-15 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) The department may
12 assess a civil penalty of not more than ten thousand dollars
13 (\$10,000) against a person who violates section 1 or 2 of this
14 chapter.

15 (b) A person who knowingly or intentionally violates section 1
16 or 2 of this chapter commits a Level 6 felony if the violation relates
17 to the operation of a Class II well.

18 (c) A civil penalty assessed under this section shall be deposited
19 in the oil and gas environmental fund established by IC 14-37-10-2.

20 SECTION 75. IC 14-37-7-9 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2014]: Sec. 9. (a) The department may assess a civil penalty of
23 not more than ten thousand dollars (\$10,000) against an owner or
24 operator who:

- 25 (1) violates section 4 or 7 of this chapter; or
26 (2) fails to comply with an order of the division under section
27 3.5 or 4 of this chapter.

28 (b) An owner or operator who knowingly or intentionally:

- 29 (1) violates section 4 or 7 of this chapter; or
30 (2) fails to comply with an order of the division under section
31 3.5 or 4 of this chapter;

32 commits a Level 6 felony if the violation or failure to comply
33 relates to the operation of a Class II well.

34 (c) A civil penalty assessed under this section shall be deposited
35 in the oil and gas environmental fund established by IC 14-37-10-2.

36 SECTION 76. IC 14-37-8-1 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) An owner or
38 operator shall plug and abandon a well that:

- 39 (1) is completed as a nonproductive well;
40 (2) ceases to produce oil or natural gas; or
41 (3) is no longer operated for the purpose for which the well is
42 permitted;



1 unless the owner or operator is authorized to delay the plugging and
2 abandonment of the well under section 8 of this chapter.

3 (b) **The department may assess a civil penalty of not more than**
4 **ten thousand dollars (\$10,000) against** an owner or operator of a well
5 who:

- 6 (1) ceases to operate the well; and
- 7 (2) knowingly fails to plug and abandon the well in violation of
8 subsection (a).

9 ~~is subject to the criminal penalty set forth in IC 14-37-13-6.~~

10 (c) **An owner or operator who knowingly or intentionally**
11 **violates this section commits a Level 6 felony if the violation or**
12 **failure to comply relates to the operation of a Class II well.**

13 (d) **A civil penalty assessed under this section shall be deposited**
14 **in the oil and gas environmental fund established by IC 14-37-10-2.**

15 (e) Each day that the well remains not plugged and not abandoned
16 constitutes a separate violation of subsection (a).

17 SECTION 77. IC 14-37-8-18 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2014]: **Sec. 18. (a) The department may**
20 **assess a civil penalty of not more than ten thousand dollars**
21 **(\$10,000) against an owner or operator who:**

- 22 (1) violates; or
- 23 (2) fails to comply with an order of the division in relation to;
24 section 3, 4, or 4.2 of this chapter.

25 (b) **An owner or operator who knowingly or intentionally:**

- 26 (1) violates; or
- 27 (2) fails to comply with an order of the division in relation to;
28 section 3, 4, or 4.2 of this chapter commits a Level 6 felony if the
29 violation or failure to comply relates to the operation of a Class II
30 well.

31 (c) **A civil penalty assessed under this section shall be deposited**
32 **in the oil and gas environmental fund established by IC 14-37-10-2.**

33 SECTION 78. IC 14-37-10-3, AS AMENDED BY P.L.151-2012,
34 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2014]: Sec. 3. The following shall be deposited in the fund:

- 36 (1) Annual fees for oil and gas wells received under IC 14-37-5.
- 37 (2) Accrued interest and other investment earnings of the fund.
- 38 (3) Civil penalties collected under ~~IC 14-37-13-3~~. **IC 14-37.**
- 39 (4) Bonds forfeited under IC 14-37-13-2.
- 40 (5) Gifts, grants, donations, or appropriations from any source.

41 SECTION 79. IC 14-37-11-4 IS ADDED TO THE INDIANA
42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2014]: **Sec. 4. (a) An owner or operator who**
 2 **violates section 1 of this chapter commits a Class B infraction.**

3 **(b) The department may assess a civil penalty of not more than**
 4 **ten thousand dollars (\$10,000) against an owner or operator who**
 5 **violates section 1 of this chapter.**

6 **(c) An owner or operator who knowingly or intentionally**
 7 **violates section 1 of this chapter commits a Level 6 felony if the**
 8 **violation concerns the operation of a Class II well.**

9 **(d) A civil penalty assessed under this section shall be deposited**
 10 **in the oil and gas environmental fund established by IC 14-37-10-2.**

11 SECTION 80. IC 14-37-13-3 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~The commission may~~
 13 ~~assess against a person who violates:~~

14 ~~(1) this article or IC 13-8 (before its repeal); or~~

15 ~~(2) a rule adopted under this article (or IC 13-8 before its repeal);~~
 16 ~~a civil penalty of not more than ten thousand dollars (\$10,000) for each~~
 17 ~~day the violation occurs. The penalty may be recovered and In~~
 18 ~~addition to any civil penalty imposed for a violation of this article,~~
 19 ~~the violator may be enjoined department may bring an action to~~
 20 ~~enjoin the violator from continuing the violation. in a civil action.~~

21 SECTION 81. IC 14-37-13-6 IS REPEALED [EFFECTIVE JULY
 22 1, 2014]. Sec. 6: (a) Except as provided in subsection (b); a person who
 23 knowingly violates this article commits a Class B misdemeanor. Each
 24 day a violation occurs is a separate offense:

25 (b) A person who knowingly violates this article with respect to the
 26 operation of a Class H well commits a Level 6 felony:

27 SECTION 82. IC 14-38-2-21 IS REPEALED [EFFECTIVE JULY
 28 1, 2014]. Sec. 21: (a) A person who knowingly violates this chapter
 29 commits a Class C infraction:

30 (b) Each day of violation constitutes a separate infraction:

31 SECTION 83. IC 14-38-2-22 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2014]: **Sec. 22. (a) An owner or operator who**
 34 **knowingly fails to comply with section 6, 10, or 11 of this chapter**
 35 **commits a Class C infraction.**

36 **(b) The department may assess a civil penalty of not more than**
 37 **ten thousand dollars (\$10,000) against an owner or operator who**
 38 **knowingly fails to comply with section 6, 10, or 11 of this chapter.**

39 **(c) A civil penalty assessed under this section shall be deposited**
 40 **in the oil and gas environmental fund established by IC 14-37-10-2.**

41 SECTION 84. IC 33-37-5-16 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. In addition to any



- 1 other duties, a clerk shall do the following:
- 2 (1) Collect and transfer additional judgments to a county auditor
- 3 under IC 9-18-2-41.
- 4 (2) Deposit funds collected as judgments in the state highway
- 5 fund under IC 9-20-18-12.
- 6 (3) Deposit funds in the conservation officers fish and wildlife
- 7 fund under ~~IC 14-22-38-4, IC 14-22-38-5, and IC 14-22-40-8.~~
- 8 **IC 14-22.**
- 9 (4) Deposit funds collected as judgments in the state general fund
- 10 under IC 34-28-5-4.
- 11 SECTION 85. IC 35-51-14-1, AS AMENDED BY P.L.289-2013,
- 12 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2014]: Sec. 1. The following statutes define crimes in IC 14:
- 14 IC 14-9-8-19 (Concerning the department of natural resources).
- 15 IC 14-15-3-31 (Concerning watercraft).
- 16 IC 14-15-4-4 (Concerning watercraft accidents).
- 17 ~~IC 14-15-9-8 (Concerning divers).~~
- 18 IC 14-15-11-11 (Concerning motorboat operators).
- 19 IC 14-15-12-13 (Concerning personal watercraft).
- 20 IC 14-16-1-29 (Concerning off-road vehicles).
- 21 IC 14-17-4-8 (Concerning property acquisition).
- 22 ~~IC 14-21-1-16 (Concerning historic preservation and archeology).~~
- 23 IC 14-21-1-26 (Concerning historic preservation and archeology).
- 24 IC 14-21-1-26.5 (Concerning historic preservation and
- 25 archeology).
- 26 ~~IC 14-21-1-27 (Concerning historic preservation and archeology).~~
- 27 IC 14-21-1-28 (Concerning historic preservation and archeology).
- 28 IC 14-21-1-36 (Concerning historic preservation and archeology).
- 29 IC 14-21-2-5 (Concerning historic preservation and archeology).
- 30 **IC 14-22-10-1 (Concerning hunting and fishing).**
- 31 IC 14-22-13-10 (Concerning commercial fishing licenses).
- 32 ~~IC 14-22-17-4 (Concerning fish and wildlife).~~
- 33 ~~IC 14-22-32-3 (Concerning fish and wildlife).~~
- 34 ~~IC 14-22-34-12 (Concerning fish and wildlife).~~
- 35 ~~IC 14-22-37-2 (Concerning fish and wildlife).~~
- 36 IC 14-22-37-3 (Concerning fish and wildlife).
- 37 ~~IC 14-22-38-1 (Concerning fish and wildlife).~~
- 38 ~~IC 14-22-38-3 (Concerning fish and wildlife).~~
- 39 ~~IC 14-22-38-4 (Concerning fish and wildlife).~~
- 40 IC 14-22-38-4.5 (Concerning fish and wildlife).
- 41 IC 14-22-38-6 (Concerning fish and wildlife).
- 42 IC 14-22-40-6 (Concerning fish and wildlife).



- 1 IC 14-23-7-5 (Concerning forestry).
- 2 IC 14-24-11-4 (Concerning entomology and plant pathology).
- 3 ~~IC 14-26-7-8 (Concerning lakes and reservoirs).~~
- 4 ~~IC 14-27-6-52 (Concerning levees, dams, and drainage).~~
- 5 IC 14-29-8-5 (Concerning rivers, streams, and waterways).
- 6 IC 14-31-3-15 (Concerning nature preserves).
- 7 IC 14-31-3-16 (Concerning nature preserves).
- 8 IC 14-31-3-17 (Concerning nature preserves).
- 9 IC 14-31-3-19 (Concerning nature preserves).
- 10 IC 14-31-3-20 (Concerning nature preserves).
- 11 IC 14-31-3-21 (Concerning nature preserves).
- 12 IC 14-34-2-6 (Concerning surface coal mining and reclamation).
- 13 IC 14-34-16-6 (Concerning surface coal mining and reclamation).
- 14 IC 14-34-16-7 (Concerning surface coal mining and reclamation).
- 15 **IC 14-37-4-15 (Concerning oil and gas).**
- 16 **IC 14-37-7-9 (Concerning oil and gas).**
- 17 **IC 14-37-8-1 (Concerning oil and gas).**
- 18 **IC 14-37-8-18 (Concerning oil and gas).**
- 19 **IC 14-37-11-4 (Concerning oil and gas).**
- 20 ~~IC 14-37-13-6 (Concerning oil and gas).~~

